THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) to (d) Since law and order is a State subject, implementation of POTA, 2002 is primarily the responsibility of the State Governments/UT Administrations. The details of cases registered, persons arrested, charge-sheets filed, cases withdrawn etc. under the POTA, 2002 in various States/UTs of the country are not centrally maintained in this Ministry.

Cases against journalist

4834. SHRI NILOTPAL BASU: Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that Government pursued its case against Kashmir Times Bureau Chief in New Delhi, Iftikhar Gilani despite the DGMI informing the Home Ministry that files found on the journalist's computer were "neither secrets nor a threat to national security";

(b) if so, the details thereof and reasons therefor;

(c) whether any responsibility has been fixed for this; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK): (a) to (d) DGMI's second opinion dated 12.12.2002 was examined by the Central Government in consultation with concerned agencies including the Ministry of Law and found that this opinion was not relevant and tenable because the contents of the documents being the same were pre-judicial to the safety and security of the country and the question of public domain had already been examined before according sanction for prosecution.

However, the Central Government decided to withdraw the case on administrative grounds and in the public interest.

Promotion as per recommendations of Fifth Pay Commission

4835. DR. M.N. DAS : Will the Minister of HOME AFFAIRS be pleased to refer to the reply to Unstarred Question 2130 given in the Rajya Sabha on 11th December, 2002 and state:

(a) whether the process to fill up the 20 posts of DD (OL) upgraded as per recommendations of the Fifth Pay Commission has been completed; and

(b) if so, the details thereof and if not, the reasons for which the persons against upgraded posts are not being promoted and by when the persons are likely to be promoted?